



H.R. 5352 – Elder Abuse Victims Act of 2008

FLOOR SITUATION

H.R. 5352 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Joe Sestak (D-PA) on February 21, 2008. The Committee on Judiciary ordered the bill to be reported, as amended, by voice vote on June 11, 2008.

H.R. 5352 is expected to be considered on the floor of the House on September 22, 2008.

SUMMARY

H.R. 5352 requires the Department of Justice to hire staff to work on elder justice issues and directs the Department of Health and Human Services to hire personnel to investigate cases of elder care neglect. The bill authorizes \$3 million in 2009, as well as \$4 million annually from 2010-2015 for these purposes.

The bill also establishes Department of Justice grant programs to assist state and local prosecutors, law enforcement, and victim advocacy groups which deal with elder abuse issues. The victims advocacy grants are authorized at \$3 million per year from 2009-2015. The bill authorizes \$6 million annually from 2009-2015 for local prosecutor grants and \$8 million per year between 2009-2015 for state prosecutor grants. Finally, this legislation authorizes \$6 million in 2009 and \$8 million per year from 2010-2015 for local law enforcement grants.

H.R. 5352 creates an Elder Justice Coordinating Council and an Advisory Board on Elder Abuse, Neglect, and Exploitation. The Council and Advisory must report to Congress with various recommendations regarding elder abuse. The bill also establishes a Department of Justice grant program to fund local governments and nonprofit organizations which protect and locate missing persons with Alzheimer's disease or dementia.

BACKGROUND

The Department of Health and Human Services operates a National Center of Elder Abuse which coordinates efforts to combat elder abuse, exploitation, and neglect. This center was created by the Older Americans Amendments Act in 1992. National Center of Elder Abuse awards grants to carry out its goals and recent grant recipients include the National Committee for the Prevention of Elder Abuse and the University of Delaware.

According to the Department of Health and Human Services, between 1-2 million Americans over the age of 65 have been injured, mistreated, or exploited by a caregiver. Data suggest that only 1 in 14 incidents are brought to the attention of authorities. The elderly are also vulnerable to financial exploitation, and estimates indicate there are around five million elderly victims of financial abuse each year.

[National Center on Elder Abuse](#)

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 5352 "would cost \$173 million over the 2009-2013 period, with remaining amounts spent in subsequent years."

[Full CBO Cost Estimate](#)

STAFF CONTACT

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